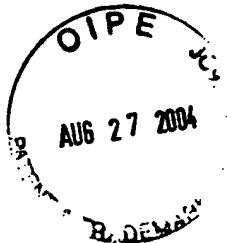


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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 27 2004

Mail Stop Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

PETITION TO MAKE SPECIAL BASED ON INFRINGEMENT
PURSUANT TO 37 C.F.R. § 1.102

Sir:

Petitioner requests special status of the above application based on the grounds of actual infringement.

There is an infringing product actually on the market.

I have made a rigid comparison of the alleged infringing product with the claims pending in the subject application, and in my opinion, at least one of the claims is unquestionably infringed.

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I have a good knowledge of the pertinent prior art. The references cited on the Information Disclosure Statements are deemed most closely related to the subject matter encompassed by the claims, which references are already of record.

Nothing herein, however, shall be construed to be an admission that the information cited in the Information Disclosure Statement is necessarily material, or is necessarily considered to be material to patentability as defined in 37 C.F.R. §1.56(b), as set forth in 37 C.F.R. § 1.97(h).

Accordingly, prompt accordance of special status is requested.

Attached hereto is the fee of \$130.00 therefor as set forth at 37 C.F.R. 1.17(h).

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920. A duplicate copy of this sheet(s) is enclosed.

Respectfully submitted,

WELSH & KATZ, LTD.

By



Eric D. Cohen

Registration No. 38,110

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August 25, 2004